

### **REMARKS/ARGUMENTS**

Claims 1-22 are pending in the application. By this amendment, claims 1, 9, 15 and 17 are being amended to improve their form. No new matter is involved.

In paragraph 2 on page 2 of the Office Action, claims 1 and 9 are objected to because of various informalities therein. More particularly, in both claims 1 and 9, references to the received data should be to "the recovered data". These two claims are being extensively amended herein. At the same time, reference is now made at the appropriate places to "the recovered data". Also, in line 6 of claim 9, "recording address" is being amended so as to read -- recording address y -- . Accordingly, such grounds for objection have been overcome in view of the amendments to claims 1 and 9 being made herein.

In paragraph 4 on page 2 of the Office Action, claims 1-14 are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete. More particularly, the claims are said to lack the necessary structural connection between the claimed "encoder" and the other recited elements of the disc recording apparatus of claims 1 and 9. In the case of each of claims 1 and 9, such claims are being amended so as to recite "an encoder for encoding the recovered data from the memory and providing encoded data to the disc". Consequently, the necessary structural connection is now clearly set forth, so that claims 1-14 are now complete.

In paragraph 6 which begins on page 3 of the Office Action, claims 1, 9, 15 and 17 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,850,473 of Toyota.

While Toyota discloses a disc recording apparatus having certain similarity to portions of the present invention, it does not disclose or suggest a scale factor  $n$  having a value less than or greater than 1. Because of this, the recording density

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can be changed in recording apparatus in accordance with the present invention. This is not true in the case of Toyota where the scale factors  $n$  is equal to 1 so that a recording address is generated in conventional fashion.

In the case of each of independent claims 1, 9, 15 and 17, the claim is being amended to recite that the scale factor  $n$  has "a value which exceeds 1 or is less than 1". Therefore, independent claims 1, 9, 15 and 17 are submitted to clearly distinguish patentably over the prior art. Claims 2-8, 10-14, 16 and 18-22, indicated in the Office Action as being allowable if rewritten in independent form, depend directly or indirectly from one of the independent claims, so that such claims are now allowable.

In conclusion, claims 1-22 are submitted to clearly distinguish patentably over the prior art for the reasons set forth above. Therefore, reconsideration and allowance are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

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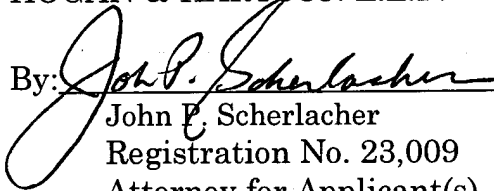
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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
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